

TITLE XV
EDUCATIONAL EXCELLENCE

CHAPTER 91

PHASE III, EDUCATIONAL EXCELLENCE PROGRAM*

[Prior to 9/7/88, see Public Instruction Department[670] Ch 80]

281—91.1(294A) Scope. These rules apply to the provisions of phase III of the educational excellence program authorized by Iowa Code chapter 294A.

281—91.2(294A) General purpose. The goal of phase III is to enhance the quality, effectiveness, and performance of Iowa's teachers by promoting teacher excellence and comprehensive school transformation. This shall be accomplished through the development of performance-based pay plans, comprehensive school transformation pay plans and supplemental pay plans for additional instructional work assignments, which assignments may include specialized training or differential training, or both.

It is the stated intent of the law and this chapter that comprehensive school transformation pay plan activities shall focus on the improvement of student achievement and the attainment of student achievement goals under Iowa Code sections 280.12 and 280.18.

Further, it is the intent of phase III that real and fundamental change in the educational system must emerge from the school site if the education system is to remain relevant and that plans funded in this program must demonstrate that they are an integral part of a comprehensive district or area education agency effort at meeting identified district or agency goals or needs.

It is the intent of this chapter that no plan submitted shall propose or include pay plans which supplant existing programs or expenditures whether operated on a regular or voluntary basis.

Further, it is the intent of this chapter that phase III moneys received by school districts and area education agencies shall not be used to pay a teacher for performance of additional noninstructional duties or for supervising students.

281—91.3(294A) Definitions. For the purposes of this chapter, the following definitions apply:

“Administrator” refers to a person or persons employed within the district or AEA, who holds the evaluator approval as required by Iowa Code section 272.33 and is employed for a portion of the time as an administrator within the district or AEA.

“AEA” refers to area education agency.

“Board” refers to the board of directors of a local education agency and an area education agency.

“Department” refers to the Iowa department of education.

“District” refers to a local school district.

“Performance-based pay” refers to salary increases for individual teachers who demonstrate superior performance in completing assigned duties; or for groups of teachers who demonstrate that specific approved objectives adopted for that group have been met.

“Performance objective” refers to the statement of action to be taken that identifies the person responsible, what is to be done, the time factors, the proficiency level to be achieved, and the method of measurement to be used to determine if the identified proficiency level has been achieved. (Phase III Program Evaluation Sourcebook, August 1989)

“Plan” refers to the phase III plan submitted by the board to the department for approval which shall demonstrate that it is an integral part of a comprehensive district or AEA effort toward meeting identified district or AEA goals or needs.

“Process objective” refers to the statement of action to be taken that identifies the person responsible, what is to be done, the time factors, and the documentation that will be created to prove that the activity has been completed within the time frame specified. (Phase III Program Evaluation Sourcebook, August 1989)

*Chapter 91 delayed 70 days from the effective date of April 21, 1993, for further study by the Administrative Rules Review Committee March 8, 1993; delay lifted by this Committee May 12, 1993, effective May 13, 1993.

“*Regular compensation*” refers to the sum located on the established salary schedule for the experience and educational level at which a teacher falls exclusive of supplemental pay for noninstructional duties and extended day or year contracts.

“*Supplemental pay*” refers to the payment of additional salary to teachers who participate in either additional instructional work assignments or specialized training during the regular school day or during an extended school day, school week, or school year.

281—91.4(294A) Development of plan.

91.4(1) *Plan submission.* On or before April 15 of each school year, school district boards of directors interested in receiving phase III funds shall submit a plan to the department for the coming school year. AEA boards of directors shall submit a plan to the department on or before June 15 for the coming school year. Plans submitted shall be on forms provided by the department in the format specified by the department.

In districts organized for collective bargaining purposes under Iowa Code chapter 20, the portions of the proposed plan that are within the scope of the negotiations specified in Iowa Code section 20.9 require the mutual agreement by April 15 for plans submitted to the department for approval for the coming year. In AEAs organized for collective bargaining purposes under Iowa Code chapter 20, the portions of the proposed plan that are within the scope of the negotiations specified in Iowa Code section 20.9 require the mutual agreement by June 15 for plans submitted to the department for approval for the coming year.

Compliance with this process shall be ensured in the plan application.

91.4(2) *Joint plans.* Plans may be submitted jointly by two or more boards (district/district, district/AEA) provided all compliances have been met. Districts which are whole-grade sharing are encouraged to submit a joint plan.

91.4(3) *Multiple year plans.* Districts and AEAs are encouraged to implement comprehensive strategic plans for meeting identified district and AEA needs and goals. However, phase III plan approval shall be on an annual basis. Districts and AEAs wishing to receive phase III funds for a given year must submit a plan to the department by the deadline in order to be considered for funding for the coming school year.

91.4(4) *Amendments.* Amendments to an approved plan may be submitted at any time during the plan year on forms provided by the department in the format specified by the department. Amendments to the plan must be approved by the department prior to implementation.

281—91.5(294A) Content of the plan. The following items shall constitute a plan which shall be submitted to the department on forms provided by the department.

91.5(1) *Rationale and goals.* The plan shall contain a rationale, which shall include the specific recommendations from national or state reports relating to the future of the education system which are to be implemented and the specific identified needs of students which are addressed by the plan. The goals of the district or AEA, as required by Iowa Code sections 280.12 and 280.18, which are pertinent to the plan shall be incorporated into the rationale.

91.5(2) *Plan design.* The plan design shall be described by using process and performance objectives, shall describe the methods used to determine the payment of salary increases to teachers, and shall describe the timeline for payment. (Phase III Program Evaluation Sourcebook, August 1989)

a. Comprehensive school transformation. The planned change shall be described. For districts, the planned change shall be real, fundamental, shall emerge from the school site, shall be designed to make the system remain relevant, shall be an integral part of a comprehensive effort at meeting identified needs or goals, shall be consistent with emerging philosophies on school restructuring and transformation, and shall focus on the improvement of student achievement and the attainment of student achievement goals established under Iowa Code sections 280.12 and 280.18. For AEAs, the planned change shall be real, fundamental, shall be based on needs at the school site, shall be designed to assist the school system to remain relevant, shall be an integral part of a comprehensive effort at meeting identified needs or goals, shall be consistent with emerging philosophies on school restructuring and

transformation, and shall be integrated with and supportive of the comprehensive school transformation plans submitted by the school districts within the area education agency.

(1) Site-based shared decision making. A plan design for implementing site-based shared decision making shall include, but is not limited to, the following descriptors:

1. The local board has defined the authority and types of accountability for decisions to be made at the building level;

2. The decisions made focus on the improvement of student achievement and the attainment of student achievement goals under Iowa Code sections 280.12 and 280.18;

3. The building-level staff are responsible for developing and implementing the strategies to fulfill the building-level goals, for monitoring progress, and for evaluation of activities;

4. Participants in the site-based shared decision-making process include both teachers and site administrators.

(2) Building-based goal-oriented compensation mechanism. A plan design for implementing building-based goal-oriented compensation mechanisms shall include, but is not limited to, the following descriptors:

1. The building goal focuses on the improvement of student achievement and the attainment of student achievement goals under Iowa Code sections 280.12 and 280.18;

2. Participants in the goal development include both teachers and site administrators;

3. The building-based goal plan includes a provision to identify the goal, the target audience, the specific strategies to be used, the timeline, the criteria by which the goal attainment is measured, the methods used to measure goal attainment, and the level of achievement which would indicate goal attainment.

The receipt of additional salary by participating teachers in a building-based goal-oriented compensation mechanism is contingent upon the degree to which the building-based goal is achieved.

(3) Approved educational programs. A plan design for implementing approved educational programs shall include, but is not limited to, the following descriptors:

1. Evidence that the program's goals shall focus on the improvement of student achievement and the attainment of student achievement goals under Iowa Code sections 280.12 and 280.18;

2. Evidence that the program is innovative;

3. Evidence that the program shall enhance teaching and learning;

4. Evidence that the program has follow-up and evaluation to ensure the program shall become an integral part of district/AEA efforts.

(4) Student outcomes. A plan design for focusing on student outcomes shall include, but is not limited to, the following descriptors:

1. Student outcomes shall be developed on the basis of current research and development knowledge, as well as current and future needs of students;

2. Student outcomes shall focus on the attainment of student achievement goals under Iowa Code sections 280.12 and 280.18;

3. Multidimensional assessment methods shall be developed in alignment with the outcomes;

4. Alternative teaching strategies shall be developed in order to help students reach the outcomes.

(5) Student achievement. A plan design for directing accountability for student achievement shall include, but is not limited to, the following descriptors:

1. Multidimensional student assessment measures for the system shall be developed in alignment with the student achievement goals under Iowa Code sections 280.12 and 280.18;

2. Participating teachers shall work collaboratively to monitor, assess, and report student achievement;

3. Teachers shall participate in redesigning the environment and learning strategies to ensure student success.

(6) Organizational success. A plan design for directing accountability for organizational success shall include, but is not limited to, the following descriptors:

1. Multidimensional forms of program assessment shall be developed in alignment with student achievement goals under Iowa Code sections 280.12 and 280.18 and shall be conducted;

2. Provision shall be made for an ongoing internal renewal process;
3. The roles of teachers shall be expanded to ensure they are active participants in school transformation efforts.

(7) School/business partnerships. A plan design for working to foster relationships between a school and businesses or public agencies which provide health and social services shall include, but is not limited to, the following descriptors:

1. The classroom shall be expanded into the community/business;
2. The businesses or public agencies shall be integrated into the school to provide learning opportunities or provide needed services to students and their families.

b. Performance-based pay. The elements of the plan shall be described. For plans providing performance-based pay to individual teachers, describe the definition of demonstrated superior performance in completing assigned duties. Describe the methods to be used to determine the superior performance of a teacher in completing assigned duties. The methods shall include, but are not limited to, the observation of teacher or student performance by an administrator or a person holding the evaluator approval as required by Iowa Code section 272.33, and shall reflect the teacher's performance in completing assigned duties.

For performance-based pay plans which provide for a teacher to set individual performance targets, the performance target shall directly relate to the teacher's demonstrated superior performance in completing assigned duties.

Performance-based pay plans shall not provide for salary increases to teachers for completing additional duties, provide for salary increases to teachers based on a teacher's attendance record, or provide for salary increases based on a teacher's organizational membership.

For plans providing performance-based pay to all teachers assigned to an attendance center, specific discipline, or multidisciplinary team, the specific performance objectives shall be identified and shall directly relate to the improvement of student achievement. The methods to be used to determine that the performance objectives have been met shall be described. These methods shall include, but are not limited to, the observation of teacher or student performance or data by an administrator or a person holding the evaluator approval as required by Iowa Code section 272.33. Payment shall be determined on the basis of whether the attendance center, specific discipline, or multidisciplinary team meets the specific performance objectives adopted for the attendance center, specific discipline, or multidisciplinary team.

c. Supplemental pay. The elements of the plan shall be described, including the additional activities, instructional work assignments, specialized training or programs to be completed or developed, and whether these activities are to be conducted during the regular school day or during an extended school day, week, or year.

For plans which provide specialized training, summer staff development program, or staff development program for other teachers to be presented during the school year, the plan shall describe how these efforts are integrated into the district staff development plan as required in 281—subrules 12.7(1) and 12.7(2). Plans for staff development shall include, but are not limited to, the following components: theory, demonstration, practice, peer coaching, and feedback.

If a supplemental pay plan provides for individual teacher projects, the projects shall be directly connected with a districtwide initiative at meeting identified student achievement goals established under Iowa Code section 280.18.

91.5(3) Evaluation. The evaluation data shall be embedded in the process and performance objectives. The persons responsible for evaluating the impact of the plan in meeting the identified goals or needs shall be identified. The evaluation procedures to be used in measuring the impact of each objective, each component and the plan as a whole shall be identified. The person, persons or groups at the local level to receive the evaluation report and the timeline for presentation shall be identified.

91.5(4) Budget. The budget shall include costs associated with implementing the plan, all costs associated with providing specialized or general training, and all indirect costs.

The budget shall detail any costs associated with the use of substitute teachers, part-time teachers and other personnel needed to implement plans that provide innovative staffing patterns or that require a

teacher employed on a full-time basis to be absent from the classroom for specified periods for fulfilling other instructional duties.

a. Budget limitations. Costs associated with the administration of the phase III plan shall not exceed the local district's or AEA's established restricted indirect cost limitations.

b. Districts contracting with AEAs to provide instructional programs shall transmit moneys to that AEA. The minimum amount transmitted shall be the amount generated per pupil. This would not preclude a district from transmitting an additional amount to achieve equity in teachers' salaries in both AEAs and local districts.

c. AEAs that contract with districts for the provision of support services shall transmit an amount of money equal to the number of students served by local support personnel times the amount identified by the department for the coming year from the district to the AEA.

d. Phase III expenditures and reimbursements shall adhere to all applicable state and federal regulations.

e. A board of directors of a district that has discontinued grades under Iowa Code section 282.7, or whose students attend school in another school district, under an agreement with the board of the other school district, may either transmit the phase III moneys allocated to the district for those students based upon the full-time equivalent attendance of those students to the board of the school district of attendance of the students or shall transmit to the board of the school district of attendance of the students a portion of the phase III moneys allocated to the district of residence based upon an agreement between the board of the resident district and the board of the district of attendance.

281—91.6(294A) Final report. Each district receiving moneys for phase III during a school year shall file a report with the department by October 1 following the close of that school year. Each AEA receiving moneys for phase III during a school year shall file a report with the department by November 1 following the close of that school year. The report submitted by the board shall describe the plan, its objectives, its implementation, the expenditures made under the plan, the extent to which its objectives were attained, and the teachers who participated in the plan.

All supporting documentation of the status and results of phase III activities and programs for a given plan year shall be maintained in a central location for a period of at least five years.

281—91.7(294A) Dissemination of plan. Districts and AEAs shall not charge other Iowa districts or AEAs for plans or information about innovative phase III plans that they have developed.

These rules are intended to implement Iowa Code sections 294A.12 to 294A.20.

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